

**OKLAHOMA COMMISSION ON CHILDREN AND YOUTH
OFFICE OF JUVENILE SYSTEM OVERSIGHT**

Report Release Date: February 2, 2016

Review of the Death of Alex Legates

of Rogers County, Oklahoma

General Information

The Office of Juvenile System Oversight (OJSO) received a request for a public report regarding the death of Alex Legates.

Authorization

The following is a summary of the actions taken by the Oklahoma Department of Human Services (OKDHS); the dates and outcome of investigations and actions taken by the OKDHS; the actions taken by the district attorney; the dates and summary of judicial proceedings; and the rulings of the court, as authorized by 10A O.S. Section 1-6-105.

Identifiers:

Child's Name:	Alex Legates
Date of Birth:	December 10, 2013
Date of Death:	July 14, 2014
Persons Responsible for the Child:	Crystal Hoglan Jimmy Legates, Sr. Sibling 1 seven years old Sibling 2 three years old

The Oklahoma Commission on Children and Youth (OCCY) did not become aware of this case until after the child's death.

Criminal Charges

A felony charge of Murder in the First Degree and four counts of Child Neglect was filed by the Rogers County District Attorney on August 4, 2014, against Crystal Hoglan. A felony charge of Murder in the Second Degree and four counts of Child Neglect were filed against Jimmy Legates, Sr.

Death Incident

The death report was received by Rogers County OKDHS on July 10, 2014. Reportedly, 911 had been called due to seven month old Alex Legate not breathing and having had turned blue at the home. When the Emergency Medical Services (EMS) arrived, Alex was cold, dark purple in color, and had no cardiac activity. The medics had been told that Alex had been in the bed with the mother, Crystal Hoglan, who had rolled over on the baby, and the baby had not been responsive. The medics gave Alex a couple doses of medicine and were able to get his heart rate back, and they intubated him. It was reported Alex was still unresponsive when the medics left for the hospital. Alex arrived at the hospital in critical condition. It was reported there were no external signs of trauma or abuse observed on Alex. It was reported that when Alex's diaper was removed there had been a little blood coming from his rectum. It was reported Alex's hemoglobin level was low which would indicate some kind of internal bleeding. It was reported the story later changed to Alex not being in the bed with his mother.

The OKDHS accepted this report as a Priority I Investigation. The OKDHS initiated contact with the family on July 10, 2014. The persons interviewed during the investigation included the surviving sibling 1, the biological mother, Crystal Hoglan, the biological father, Jimmy Legates Sr., various friends and relatives, and medical professionals.

During the investigation, the two siblings were placed in an out of home safety plan. Alex Legates passed away on July 14, 2014, four days after being taken to the hospital. Upon the OKDHS arrival to the family's home, they found the home to be in deplorable conditions, with piles of trash, dirty dishes, and other objects all over the home. The home had cockroaches and flies. The mattresses were all dirty and stained with dirty blankets. The baby had slept on a child sized couch.

Both of the parents denied all knowledge as to what had happened to Alex. During the investigation there were conflicting stories as to what happened when Alex had been found. The mother stated Alex had been found unresponsive on her bed but other reports indicated that Alex had been found on the floor by a wood burning stove. Also, the parents stated Alex had only been unresponsive for about three to five minutes but Alex had been found to be cold, white, with no pulse, and with blue lips according to EMS.

Alex had also been found to have what appeared to be ligature marks around his neck and had numerous bug bites and scratches on his body. The Medical Examiner (ME) reported that the probable cause of death was Anoxic Encephalopathy due to Ligature Strangulation. The Medical Examiner (ME) reported the manner of death to be Homicide.

The OKDHS made a finding of Substantiated as to the allegations of Abuse/Death, Inadequate or Dangerous Shelter, Inadequate Physical Care, and Threat of Harm as to both parents. The OKDHS requested a deprived petition be filed on behalf of the

surviving siblings. The OKDHS requested a petition for immediate termination of the parental rights to the surviving siblings for Heinous and Shocking Abuse. The two siblings living in the home were placed in emergency OKDHS custody on July 18, 2014.

Prior Involvement of the PRFC with the Department of Human Services

There was one pertinent report prior to the death of seven-month-old Alex Legates. On September 30, 2011, Rogers County Child Welfare received a report that was accepted as a Priority I Assessment with an allegation of Inadequate or Dangerous Shelter. It had been reported that the home was filthy and covered in roaches. It had been reported that roaches were seen crawling on the ceiling above the four-year-old's bed. The family had agreed to stay with a relative until they could either find a more permanent place to live or until they could clean up their home and have it exterminated.

The OKDHS returned to the family's home four days later and documented "the family had made substantial progress on their home. They had bombed for roaches and had picked up the entire house. The kitchen counters were clean. Worker did observe roaches in the home but it appeared as if the roaches were still dying off from the bombs." The OKDHS closed out the Assessment stating that the children were safe.

Judicial proceedings prior to the child's death

The OJSO identified no judicial proceedings prior to the death incident.